

Posted: June 24, 2003  
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**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

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**In the Matter of**

**Application for Approval of Agreement by the  
International Air Transport Association**

**Docket OST-2003-14480**

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**NOTICE**

On February 7, 2003, the International Air Transport Association (IATA) filed an agreement in the above-captioned docket for approval. Responses to comments would normally have been due 21 days from the date of filing, *i.e.*, on February 24, 2003.

On February 26, 2003, in response to a request from the High-Tech Airfreight Shippers Coalition (the Coalition) for a 90-day extension of the normal comment period, we extended the comment period to May 29, 2003. In our notice extending the comment period, we stated that in light of the potentially complex analytical issues raised by the IATA application we viewed it as particularly important to develop an adequate record for decision, and found it consistent with the public interest to ensure that all interested parties had sufficient time to submit comments.

Numerous comments were received on the record by the May 29 comment date.

On June 9, 2003, IATA submitted a request for approximately 30 days in which to respond to the comments. In its request, IATA states that it wishes to review many of the legal and factual points that have been included in the comments, and that because of the large number of comments in opposition that have been filed, including one of more than 400 pages, IATA is asking for permission to file responsive comments not later than July 9, 2003. IATA states further that since none of the resolutions in the agreement may become effective until the Department has completed its review and approved them, no opposing party will be disadvantaged by a further delay in the review procedure; and that although 14 CFR Part 303 of the Department's regulations does not specifically provide for responses to comments, this request is consistent with Part 303 procedures.

Under the Department's general procedural regulations, sections 302.7 and 302.8 of 14 CFR Part 302, which provide a period of seven business days for answers to procedural motions, answers to IATA's request were due June 18. None were received.

As IATA notes in its request, Subpart E of Part 303, which establishes procedures for the review of inter-carrier agreements, does not specifically provide for second-round responses to comments. We believe that the same reasons that warranted a 90-day extension of the initial comment period apply equally to IATA's request. Permitting IATA and other parties to file responsive comments by July 9 will assist in developing an adequate record for decision, and will not appreciably delay our review process.

Therefore, acting under authority assigned to the Director, Office of International Aviation, 14 CFR 385, we establish a date of July 9, 2003, for the filing of responses to comments previously received on the agreement in the above-captioned docket.

We will serve this notice on all interested parties who have filed pleadings in the docket and served IATA. IATA will be expected to include service on all such interested parties.

By:

**PAUL L. GRETCH**  
Director  
Office of International Aviation

(SEAL)

Dated: June 23, 2003

*An electronic version of this notice is available on the World Wide Web at  
[http://dms.dot.gov/reports/reports\\_aviation.asp](http://dms.dot.gov/reports/reports_aviation.asp)*